

05/28/2024

000-1111-2222. The CR-11 Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

NYU Langone Hospitals

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Garfunkel Wild, P.C.
111 Great Neck Road, Great Neck, New York 11021 (516) 393-2200

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Alleged violations of Medicare law and regulations, per 42 U.S.C. 1395, et seq.

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No Yes _____

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	[] 365 PERSONAL INJURY	[] 423 WITHDRAWAL	[] 400 STATE REAPPORTIONMENT
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER	[] 410 ANTITRUST
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY				[] 430 BANKS & BANKING
[] 151 MEDICARE ACT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT	[] 450 COMMERCE
[] 152 RECOVERY OF DEFECTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[] 460 DEPORTATION
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 160 STOCKHOLDERS SUITS	[] 355 MOTOR VEHICLE				[] 480 CONSUMER CREDIT
[x] 190 OTHER CONTRACT	PRODUCT LIABILITY	[] 360 OTHER PERSONAL INJURY	SOCIAL SECURITY	[] 485 TELEPHONE CONSUMER PROTECTION ACT	
[] 195 CONTRACT	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[] 861 HIA (1395ff)	
[] 196 FRANCHISE		[] 385 PROPERTY DAMAGE	[] 710 FAIR LABOR STANDARDS ACT	[] 862 BLACK LUNG (923)	[] 490 CABLE/SATELLITE TV
	ACTIONS UNDER STATUTES	PRODUCT LIABILITY	[] 720 LABOR/MGMT RELATIONS	[] 863 DIWC/DIWV (405(g))	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
	CIVIL RIGHTS			[] 864 SSID TITLE XVI	
		[] 463 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT	[] 865 RSI (405(g))	[] 890 OTHER STATUTORY ACTIONS
		[] 510 MOTIONS TO VACATE SENTENCE	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		[] 891 AGRICULTURAL ACTS
		28 USC 2255			[] 893 ENVIRONMENTAL MATTERS
		[] 530 HABEAS CORPUS	[] 790 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 895 FREEDOM OF INFORMATION ACT
		[] 535 DEATH PENALTY	[] 791 IRS-THIRD PARTY	[] 871 IRS-THIRD PARTY	[] 896 ARBITRATION
		[] 540 MANDAMUS & OTHER	26 USC 7609		[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)		SECURITY ACT (ERISA)		[] 950 CONSTITUTIONALITY OF STATE STATUTES
	[] 441 VOTING		IMMIGRATION		
	[] 442 EMPLOYMENT				
	[] 443 HOUSING/ ACCOMMODATIONS	PRISONER CIVIL RIGHTS			
[] 210 LAND CONDEMNATION		[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION		
[] 220 FORECLOSURE		[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION ACTIONS		
[] 230 RENT LEASE & EJECTMENT	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[] 240 TORTS TO LAND	[] 446 AMERICANS WITH DISABILITIES - OTHER				
[] 245 TORT PRODUCT LIABILITY		[] 448 EDUCATION			
[] 290 ALL OTHER REAL PROPERTY					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$ 4.3 million OTHER JUDGE Judge P. Kevin Castel DOCKET NUMBER 1:24cv4384

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

Check YES only if demanded in complaint

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input checked="" type="checkbox"/> a. all parties represented			<input type="checkbox"/> b. At least one party is pro se.			
<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)						

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input type="checkbox"/> 4 DIVERSITY
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 6/24/24 /s/ Seth M. Cohen

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
 YES (DATE ADMITTED Mo. 03 Yr. 2006)
Attorney Bar Code # 4369450

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Daniel Ortiz, Acting Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

